

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBERT S. BROOKS, JR.,

Plaintiff,

v.

No. 12-cv-1249 MV/SMV

**FARMINGTON MUN. SCH. and
JANEL RYAN,**

Defendants.

ORDER GRANTING DEFENDANTS' MOTION TO STAY

THIS MATTER is before the Court on Defendants' Motion to Stay Pending a Decision on Qualified Immunity [Doc. 111] ("Motion"), filed on November 15, 2013. Plaintiff filed his Response [Doc. 113] on November 27, 2013. Defendants filed their Reply [Doc. 115] on December 13, 2013. The parties presented oral argument on December 17, 2013. The Court, having considered the briefing and arguments of counsel, and being fully advised in the premises, finds that Defendants' Motion should be granted.

At oral argument, Defendants stated they do not seek to prevent rulings on dispositive motions already briefed. Defendants made clear that they seek relief from the deadlines imposed in the Trial Notice [Doc. 97] and Stipulated Order Allowing the Extension for the Deadlines for Filing the Pretrial Order [Doc. 102]. The Court finds that Defendants are entitled to a stay pending a ruling on Defendants' Motion for Summary Judgment and Qualified Immunity [Doc. 56]. *See Mitchell v. Forsyth*, 472 U.S. 511, 526 (1985). Upon consultation with the Honorable Martha Vásquez, United States District Judge, all deadlines imposed in [Doc. 97] and [Doc. 102] are hereby vacated. Judge Vásquez will issue new deadlines at the appropriate time.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Defendants' Motion to Stay Pending a Decision on Qualified Immunity [Doc. 111] is hereby **GRANTED**.

IT IS FURTHER ORDERED that all deadlines in [Doc. 97] and [Doc. 102] are **VACATED**.

IT IS FURTHER ORDERED that the two Joint Motions to Extend Deadline for Filing Pretrial Order [Docs. 106, 108] are **DENIED as moot**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge